

REMARKS

I. The 35 U.S.C. §103 Rejections

Claims 1-3 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,256,036 B1 issued to Matsumoto in view of U.S. Patent No. 6,407,738 B1 issued to Wakabayashi.

A. Claim 1

It is axiomatic that the combination of the cited references in a §103 rejection must disclose every element in the rejected claim. MPEP 2143.03. Claim 1 has been amended to recite at least one warped exterior voxel in the exterior space. Applicant has reviewed the cited references in detail but has not found any disclosure or suggestion of a warped voxel, or an equivalent thereof. Thus, Applicant respectfully submits that claim 1 is now in condition for allowance.

B. Claims 2-3

Claims 2-3 are dependent on claim 1 and therefore should also be in condition for allowance.

II. The 35 U.S.C. §112 Rejections

Claim 4 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 4 has been amended to overcome the rejection and is now in condition for allowance.

III. The Allowable Subject Matter

Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claim 5 has been canceled. Claim 6 has been rewritten to independent form by incorporating all the limitations of the original claim 1.

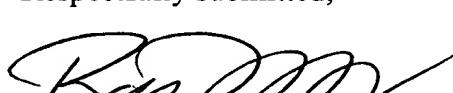
The limitations of the original claim 1 were impliedly present in dependent claim 6. Thus, rewriting claim 6 to make it independent is not an amendment to overcome a rejection and should not be subject to prosecution history estoppel. Amended claim 6 is now in condition for allowance. Claims 7-8 are dependent on independent claim 6; thus, these claims are also in condition for allowance.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

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